

SCR 22 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Melissa Leoni, LPRO Analyst

Meeting Dates: 6/3

WHAT THE MEASURE DOES:

Apologizes to Robert Parker for 31 years of suffering injuries and effects of racism and institutional bias that has denied him admission to Oregon State Bar. Urges Oregon Supreme Court to admit Robert Parker to bar.

Senate Vote: Ayes, 24; Nays, 4--Findley, Heard, Johnson, Linthicum

FISCAL: No fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Robert R. Parker, Jr. is an African American man who was born in 1955 in Flint, Michigan. Parker's father died when Parker was 13, and his hardscrabble childhood veered into experiencing severe poverty. Parker's teenage years were turbulent, including dropping out of high school and being committed to reform schools, but through perseverance and determination, Parker turned his life around. Parker obtained his GED, attended community college, the University of Michigan, and North Carolina Central University School of Law. After graduating from law school, Parker worked for an insurance company and then for a prosecutor, before making his way to the west coast. He passed the Oregon State Bar exam in 1990.

In 1987, Parker accepted a job with Senator Jim Hill to serve as the committee administrator of the Senate Business, Housing and Finance Committee. Opponents of legislation before the committee (Senate Bill 664 (1987)) alleged that Parker used his position unethically and illegally. Senate leadership asked the Oregon Department of Justice to investigate Parker, but this investigation, and an additional investigation undertaken by a county district attorney (DA), failed to yield evidence of an indictable offense. The DA wrote a letter to the Oregon Government Ethics Commission (OGEC), which undertook its own investigation into Parker, even though the DA expressly acknowledged that the letter was not a complaint. The investigation report contained references to Parker's race, faith, and interracial dating. The central findings of the investigation were based on circumstantial evidence and Parker appealed the OGEC order on grounds of absence of jurisdiction and on the merits, but both the Oregon Court of Appeals and the Oregon Supreme Court affirmed the OGEC order without written opinion. Parker obtained a final order from the OGEC vacating its initial order, but the Court of Appeals and Supreme Court judgments could not be vacated, even though a valid agency order no longer existed.

The Board of Bar Examiners (Board) undertook an extensive multiyear investigation to determine whether Parker possessed the requisite moral character and fitness to practice law in Oregon. The Board voted 10 to 3 to recommend that Parker be denied admission to the bar on character and fitness grounds, and the Oregon Supreme Court duly adopted the Board's recommendations. This decision has prevented Parker from practicing law for the past 31 years.

Senate Concurrent Resolution (SCR) 22 finds that Robert Parker has engaged in no wrongdoing or unethical conduct, and issues an official apology from the Legislative Assembly to Parker for the 31 years of damage

This summary has not been adopted or officially endorsed by action of the committee.

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wrongfully done to him. SCR 22 requests that the Oregon Court of Appeals and the Oregon Supreme Court vacate their decisions affirming the initial order of the OGEC and requests that the Oregon Supreme Court vacate its initial decision, and orders Parker's admission into the Oregon State Bar.

PRELIMINARY